FOURTH REVIEW CONFERENCE
OF THE PARTIES TO THE TREATY ON
THE NON-PROLIFERATION OF
NUCLEAR WEAPONS

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Palais Des Nations
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THE FOURTH NPT REVIEW CONFERENCE

THE FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

The Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will meet in Geneva, Switzerland, from 20 Aug to 14 September 1990.

The NPT is a landmark international treaty. It establishes the most intrusive international monitoring system of any multilateral arms agreement, and is the core of a network of international agreements and institutions that encourage the spread of peaceful technology while endeavouring to thwart the development of nuclear weapons. Upon acceding to the NPT, countries that do not have nuclear weapons promise not to acquire or develop them, while signatory nations that have nuclear weapons or technology promise not to help other countries acquire nuclear weapon capabilities. Those countries with the technology promise to transfer peaceful nuclear technology to non-nuclear-weapon States, and to negotiate in good faith towards nuclear weapons reductions. The NPT came into effect when forty States in addition to the three "Depositary States" (the Soviet Union, the United States, and the United Kingdom) acceded to it in 1970. By June 1990, a total of 141 Parties had joined the Treaty, making it the most widely accepted arms limitation instrument ever.

The purpose of the forthcoming Review Conference, according to Treaty Article VIII (3), is to "review the operation of this treaty with a view to assuring that the purposes of the Preamble and provisions of the Treaty are being realized". In 1990, as in previous reviews, the Conference is very likely to call upon all the States that have not done so to join the Treaty, to achieve what is called the "universalization" of treaty adherence. While the vast majority of States have joined the NPT, there are important countries which have not acceded to the Treaty, including Argentina, Brazil, China, France, India, Israel, Pakistan, and South Africa.

The NPT is reviewed at five-year intervals, and this Fourth Review Conference will be the last before the Treaty comes up for extension in 1995. There were three Preparatory Committee meetings leading up to the Fourth Review Conference, the final one in April/May 1990. These meetings prepared the provisional agenda, recommended the allocation of topics to the three main committees and the nomination of officers for the Review Conference, and requested background papers for the Conference from the United Nations Secretariat, the International Atomic Energy Agency (IAEA), the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) and the South Pacific Forum. Ambassador Oswaldo de Rivero, Permanent Representative of Peru to the Office of the United Nations in Geneva and to the Conference on Disarmament, was unanimously recommended by the Committee to the Conference for election as its President.

Although no States have withdrawn from the NPT, and no party to the NPT has been found to

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be violating its obligations, a number of the Parties are not wholly satisfied with the Treaty and would like to see it strengthened. Issues such as improved security assurances by nuclear-weapon States to non-nuclear-weapon States regarding the possible use of nuclear weapons, and the transfer of nuclear technology for peaceful purposes, are among the topics that will be discussed.

However, notwithstanding these concerns, the Treaty will continue to play a vital role in the non-proliferation of nuclear weapons as it approaches the decision that must be taken in 1995 regarding the Treaty's future.

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THE FOURTH NPT REVIEW CONFERENCE

TOWARDS THE FOURTH REVIEW CONFERENCE

The Fourth Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons will meet in Geneva, Switzerland, from 20 August to 14 September 1990. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT), which came into effect in 1970, is reviewed at five-year intervals, and this Fourth Review Conference will be the last one before the Treaty comes up for extension in 1995. Upon acceding to the NPT, countries that do not have nuclear weapons promise not to acquire or develop them, while signatory nations that have nuclear weapons or technology promise not to help other countries acquire nuclear weapon capabilities. Those countries with the technology promise to transfer peaceful nuclear technology to non-nuclear-weapon States, and to negotiate in good faith towards nuclear weapons reductions. The purpose of the Conference, according to Treaty Article VIII (3) is to "review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized."

The NPT came into effect when forty States in addition to the three "Depositary States" (the Soviet Union, the United States, and the United Kingdom) acceded to it in 1970. By 1 June 1990, a total of 141 Parties had joined the Treaty. In 1990, as in previous reviews, the conference is likely to call upon all the States that have not done so to join the Treaty, to achieve what is called the "universalization" of treaty adherence. While the vast majority of States have joined the NPT, there are important countries, such as Argentina, Brazil, China, France, India, Israel, Pakistan, and South Africa which have not.

There were three Preparatory Committee meetings leading up to the Fourth Review Conference, the final one in April/May 1990. These meetings prepared the provisional agenda, nominated officers and recommended the allocation of topics to the three main committees of the Review Conference. The Preparatory Committee also requested background papers for the Conference from the United Nations Secretariat, from the International Atomic Energy Agency (IAEA), and from the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (OPANAL) and the South Pacific Forum. Ambassador Oswaldo de Rivero, Permanent Representative of Peru to the Office of the United Nations in Geneva and to the Conference on Disarmament, was unanimously recommended by the Committee to the Conference for election as its President.

A Landmark Treaty

The NPT is a landmark international treaty. It establishes the most intrusive international monitoring system of any multilateral arms agreement, and is the core of a network of international agreements and institutions that encourage the spread of peaceful technology while thwarting the development of nuclear weapons. No States have withdrawn from the NPT, and no party to the NPT has been found to be violating its obligations.

In July 1988, on the occasion of the 20th anniversary of the opening for signature of the Treaty, the spokesman for United Nations Secretary-General Javier Pérez de Cuéllar declared:

"The Treaty has...so far effectively performed its function as a barrier against the acquisition of nuclear weapons.

"The need remains to strengthen the régime still further, both by encouraging wider adherence to the Treaty and by the achievement of early and significant reductions in the number of existing nuclear weapons, so that the Treaty may continue to play its valuable role in contributing to international peace and security. In this context the Secretary-General hopes that further steps shall be taken towards the implementation of all the provisions of the Treaty.

"Efforts to halt and prevent the proliferation of nuclear weapons, in all its aspects, are of utmost importance and the Secretary-General urges that all States should make every endeavour to pursue these objectives."

Treaty Provisions

In non-proliferation parlance, the spread of weapons capabilities to additional countries is called "horizontal proliferation", while the development and stockpiling of new and additional weapons in the States that already have them is termed "vertical proliferation". The Treaty formally distinguishes between nuclear-weapon States (NWS)—those States having tested nuclear weapons prior to 1 January 1967—and non-nuclear-weapon States (NNWS). Treaty Articles I, II, and III thwart horizontal proliferation. The NNWS promise not to develop or acquire the weapons. Under NPT Article III, NNWS accept, and IAEA is assigned the duty of carrying out, safeguards to ensure that all nuclear technology and facilities in NNWS are used exclusively for peaceful purposes. These "full-scope" safeguards presently entail thousands of inspection visits, sealing and monitoring of crucial parts of nuclear installations, examination of facility records and accounts, and non-destructive testing of fuel and other elements going into nuclear plants and irradiated ones coming out. While the NWS are not obligated to accept any international inspection, the Soviet Union, the United Kingdom and the United States have voluntarily accepted safeguards under the NPT on some civilian facilities to create greater equality between them and the NNWS, and to assist IAEA in developing safeguards technology. Although not Parties to the Treaty, China and France have also accepted IAEA safeguards on some civilian facilities.

The inequality of treatment (called "discrimination" by some) of NWS and NNWS is mitigated by Articles IV, V and VI, included in the NPT at the insistence of the NNWS. Under Article IV, the States having nuclear technology promise to assist in transfer of its peaceful aspects to NNWS parties to the Treaty. This assistance includes bilateral aid, technology transfers through the IAEA, and commercial transactions. At earlier review conferences, some NNWS expressed dissatisfaction with the pace of transfer and the availability of concessional aid in the nuclear field.

Under Article V, the NWS promise to provide to NNWS peaceful nuclear explosive services, if those should be requested. While this provision has never been invoked, it means that should peaceful applications for nuclear explosives be found (such as for mining purposes or natural gas stimulation in tight rock formations), the NNWS would be able to make use of them despite foregoing the right to develop their own explosive capability. It also means that there is no peaceful reason for a State lacking nuclear explosives technology to engage in its development.

Article VI addresses the problem of vertical proliferation and the issues of disarmament in general. It obliges each of the Parties to the Treaty to negotiate in good faith towards the reduction and eventual elimination of their nuclear weapon stockpiles. While the NWS have agreed to the article, they tend to resist multilateral efforts to influence their direct arms control negotiations. In previous review conferences, some NNWS have charged that the NWS have not fulfilled the

requirements of Article VI, and efforts were made to bind the NWS to a schedule for nuclear arms reductions. Currently there are efforts under way in the Conference on Disarmament to begin negotiations on a nuclear test ban. Separately, a proposal to convert the partial test-ban Treaty of 1963, which permits nuclear testing only underground, into a comprehensive ban on all nuclear tests is under consideration by States party to that Treaty and a formal conference on this issue will take place in Geneva from 7 to 18 January 1991.

History of the Treaty

Because development of peaceful nuclear capabilities can enable countries to divert technology and materials into weapons production, the problem of control emerged at the beginning of the nuclear age. The United Nations Atomic Energy Committee began considering proposals for the internationalization of all nuclear technology in 1946, but negotiations were unsuccessful and terminated in 1949. By then, both the United States and Soviet Union had tested nuclear weapons, and were on the way to building up their stockpiles.

In December 1953, U.S. President Dwight D. Eisenhower presented his "Atoms for Peace" speech to the eighth session of the United Nations General Assembly, proposing that an international organization be established to disseminate peaceful nuclear technology, while guarding against development of weapons capabilities in additional countries. His proposal resulted in 1957 in the establishment of the International Atomic Energy Agency, which was charged with the dual responsibilities, promotion and control of nuclear technology, envisioned in Eisenhower's speech. IAEA technical assistance activities began in 1958. An interim safeguards system for small nuclear reactors put in place in 1961 was replaced in 1964 by a system covering larger installations, and this system (the INFCIRC/66 system and its revisions) was expanded over the next few years to include more kinds of nuclear facilities. The IAEA began to inspect and verify the peaceful application of nuclear materials and facilities acquired from the Agency or under agreements with supplier countries which required IAEA safeguards as part of the supply agreement.

While the IAEA was developing this system, expanding negotiating groups within United Nations forums worked to develop broad agreement on a treaty to enshrine non-proliferation as a norm of international behavior. The principle of nuclear non-proliferation was addressed in negotiations as early as 1957, but gained significant momentum only in the early 1960s. International concern about the spread of nuclear weapons grew as nuclear technology increasingly appeared in the 1960s to promise cheap electricity in a wide variety of countries. The structure of the treaty had become clear by the mid-1960s, building on an Irish draft of 1961, but it took until 1968 for final agreement to be reached over provisions that would fulfill the interests of the largest possible number of States.

After the NPT came into effect in 1970, it took three more years for the IAEA to develop a safeguards system under which to carry out Article III. The 1973 safeguards system (referred to as the INFCIRC/153 system, after the IAEA document that spells out its provisions) is still being refined and articulated. The IAEA's efforts have grown significantly and become technologically highly sophisticated as safeguards technologies have improved, as the Agency and Member States gained experience with safeguards operations, and as new kinds of nuclear facilities have been developed and deployed. Every Review Conference has applauded the work of the IAEA and called for further development in its safeguards and technical assistance activities.

Previous Review Conferences

There have been three Review Conferences so far, in 1975, 1980, and 1985. In 1975, NNWS made proposals that would have required the NWS to cut their nuclear arsenals by fixed amounts as additional States joined the NPT. This effort was

unsuccessful, but the Conference was able to agree on a Final Declaration which embraced the concept of, and called for additional States to join, the NPT and lauded the IAEA for its safeguards programme.

The Second Review Conference ended less harmoniously. Efforts by nuclear technology supplying countries to control technology transfer outside of the NPT/IAEA framework raised concerns among other States that led them to balk at reaching agreement on final document language. The main obstacle, however, was represented by basic differences in perception between the nuclear-weapon Powers and the developing countries with regard to the implementation of Article VI on nuclear disarmament. Because of those differences, the participants failed to reach consensus on a substantive final declaration.

At the Third Review Conference, agreement was reached on a Final Document that reiterated the conviction of parties to the NPT that the Treaty is "essential to international peace and security", pledged their "continued support for the objectives of the Treaty", reaffirmed their "firm commitment to the purposes of the Preamble and the provisions of the Treaty", and underlined their "determination to enhance the implementation of the Treaty and to further strengthen its authority."

The current Review Conference will convene in an atmosphere combining optimism and concern. The warming of East-West relations promises progress in arms reductions between the two major Powers. The IAEA safeguards system continues to verify compliance with the NPT. International cooperation in peaceful nuclear technology continues to expand, especially in the safety and environmental areas. However, there is increasing concern about weapons developments. A number of the Parties are not wholly satisfied with the Treaty and would like to see it strengthened. Concerns remain over continued nuclear testing, over qualitative nuclear weapon developments, the need for improved security assurances by nuclear-weapon States to non-nuclear-weapon States regarding the possible use of nuclear weapons, and the transfer of nuclear technology for peaceful purposes.

In sum, the Fourth Review Conference will be an important milestone in this major international treaty as it approaches the decision that must be taken in 1995 about its future.

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THE FOURTH NPT REVIEW CONFERENCE

PROVISIONAL AGENDA OF THE FOURTH REVIEW CONFERENCE

1. Opening of the Conference by the Chairman of the third session of the Preparatory Committee.
2. Election of the President.
3. Submission of the Final Report of the Preparatory Committee.
4. Adoption of the rules of procedure.
5. Election of Chairmen and Vice-Chairmen of the Main Committees, the Drafting Committee and the Credentials Committee.
6. Election of Vice-Presidents.
7. Credentials of representatives to the Conference:
   (a) Appointment of the Credentials Committee;
   (b) Report of the Credentials Committee.
8. Confirmation of the nomination of the Secretary-General.
9. Adoption of the agenda.
10. Programme of work.
11. Adoption of arrangements for meeting the costs of the Conference.
12. General debate.
13. Review of the operation of the Treaty as provided for in its article VIII (3):
    A. Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:
       (1) Articles I and II and preambular paragraphs 1-3.
       (2) Article VI and preambular paragraphs 8-12.
       (3) Article VII with specific reference to the main issues in A and B.
    B. Security assurances:
       (1) Resolution 255 (1968) of the United Nations Security Council.
       (2) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
       (3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria).
    C. Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, safeguards and nuclear-weapon-free zones:
       (1) Article III and preambular paragraphs 4 and 5, especially in their relationship to article IV and preambular paragraphs 6 and 7.
       (2) Articles I and II and preambular paragraphs 1-3 in their relationship to articles III and IV.
       (3) Article VII.

D. Implementation of the provisions of the Treaty relating to peaceful applications of nuclear energy:
   (1) Articles III (3) and IV, preambular paragraphs 6 and 7, especially in their relationship to article III (1, 2, 4) and preambular paragraphs 4 and 5 as well as to articles I and II.
   (2) Article V.

E. Other provisions of the Treaty.

14. Role of the Treaty in the promotion of non-proliferation of nuclear weapons and of nuclear disarmament and in strengthening international peace and security:

A. Acceptance of the Treaty by States.

B. Measures aimed at promoting a wider acceptance of the Treaty.

15. Reports of the Main Committees.

16. Other questions.

17. Preparation and adoption of Final Document.

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THE FOURTH NPT REVIEW CONFERENCE

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (NPT)

The Treaty on the Non-Proliferation of Nuclear Weapons was opened for signature on 1 July 1968 and entered into force on 5 March 1970. By 1 June 1990, a total of 141 Parties had joined the Treaty, making it the most widely accepted arms limitation instrument ever.

Treaty Provisions

The main purposes and provisions of the NPT can be summed up as follows:

1. Prevention of the proliferation of nuclear weapons or other nuclear explosive devices;

2. Guarantees to ensure that the peaceful nuclear activities of non-nuclear-weapon States are not diverted to producing nuclear weapons or other nuclear explosive devices;

3. Promotion of the peaceful uses of nuclear energy;

4. Promotion of nuclear disarmament;

5. Maintenance of the right of States to establish nuclear-weapon-free zones.

The NPT consists of a preamble and 11 articles. In the preamble, the parties to the Treaty express their belief that "the proliferation of nuclear weapons would seriously enhance the danger of nuclear war". The parties also affirm the principle that the benefits of peaceful applications of nuclear technology should be available to all of them. Furthermore, they declare "their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament". In this context, they recall the determination expressed by the parties to the 1963 partial test-ban Treaty to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to that end.

Each nuclear-weapon State party undertakes not to transfer to any recipient nuclear weapons or other nuclear explosive devices or control over them directly or indirectly, as well as not to assist, encourage or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or devices (article I).

Each non-nuclear-weapon State party undertakes not to receive the transfer of nuclear weapons or other nuclear explosive devices or of control over them directly or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of them (article II).

Each non-nuclear-weapon State party undertakes to conclude safeguards agreements with the International Atomic Energy Agency (IAEA) for the exclusive purpose of verification of its obligations with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices (article III).

All Parties undertake to facilitate, and have the right to participate in, the fullest possible exchange of equipment, materials and scientific and

technological information for the peaceful uses of nuclear energy (article IV).

Potential benefits from any peaceful applications of nuclear explosions will, under appropriate international observation and through appropriate international procedures, be made available to non-nuclear-weapon States that are Parties on a non-discriminatory basis and at the lowest possible cost (article V).

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control (article VI).

The Treaty does not affect the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories (article VII).

The remaining articles deal with matters such as amendments to the Treaty, its entry into force and the right of withdrawal. The Treaty also provides for a review conference of its parties five years after its entry into force, "with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised". It also leaves room for subsequent review conferences at five-year intervals if a majority of the Parties request it. Finally, the Treaty stipulates that 25 years after its entry into force, i.e in 1995, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely or shall be extended for an additional fixed period or periods.

ANNEX I

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS*

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Considering the devastation that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war and to take measures to safeguard the security of peoples,

Believing that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war,

In conformity with resolutions of the United Nations General Assembly calling for the conclusion of an agreement on the prevention of wider dissemination of nuclear weapons,

Undertaking to co-operate in facilitating the application of International Atomic Energy Agency safeguards on peaceful nuclear activities,

Expressing their support for research, development and other efforts to further the application, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable materials by use of instruments and other techniques at certain strategic points,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States,

Convinced that, in furtherance of this principle, all Parties to the Treaty are entitled to participate in the fullest possible exchange of scientific information for, and to contribute alone or in co-operation with other States to, the further development of the applications of atomic energy for peaceful purposes,

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its Preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

Desiring to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all their existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery pursuant to a Treaty on general and complete disarmament under strict and effective international control,

Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources,

Have agreed as follows:

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* *Reproduced from 729 UNTS 161*

Article I

Each nuclear-weapon State Party to the Treaty undertakes not to transfer to any recipient whatsoever nuclear weapons or other nuclear explosive devices or control over such weapons or explosive devices directly, or indirectly; and not in any way to assist, encourage, or induce any non-nuclear-weapon State to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, or control over such weapons or explosive devices.

Article II

Each non-nuclear-weapon State Party to the Treaty undertakes not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly, or indirectly; not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices; and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices.

Article III

1. Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices. Procedures for the safeguards required by this Article shall be followed with respect to source or special fissionable material whether it is being produced, processed or used in any principal nuclear facility or is outside any such facility. The safeguards required by this Article shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere.

2. Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article.

3. The safeguards required by this Article shall be implemented in a manner designed to comply with Article IV of this Treaty, and to avoid hampering the economic or technological development of the Parties or international co-operation in the field of peaceful nuclear activities, including the international exchange of nuclear material and equipment for the processing, use or production of nuclear material for peaceful purposes in accordance with the provisions of this Article and the principle of safeguarding set forth in the Preamble of the Treaty.

4. Non-nuclear-weapon States Party to the Treaty shall conclude agreements with the International Atomic Energy Agency to meet the requirements of this Article either individually or together with other States in accordance with the Statute of the International Atomic Energy Agency. Negotiation of such agreements shall commence within 180 days from the original entry into force of this Treaty. For States depositing their instruments of ratification or accession after the 180-day period, negotiation of such agreements shall commence not later than the date of such deposit. Such agreements shall enter into force not later than eighteen months after the date of initiation of negotiations.

Article IV

1. Nothing in this Treaty shall be interpreted as affecting the inalienable right of all the Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II of this Treaty.

2. All the Parties to the Treaty undertake to facilitate, and have the right to participate in, the

fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy. Parties to the Treaty in a position to do so shall also co-operate in contributing alone or together with other States or international organizations to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world.

Article V

Each Party to the Treaty undertakes to take appropriate measures to ensure that, in accordance with this Treaty, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. Non-nuclear-weapon States Party to the Treaty shall be able to obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States. Negotiations on this subject shall commence as soon as possible after the Treaty enters into force. Non-nuclear-weapon States Party to the Treaty so desiring may also obtain such benefits pursuant to bilateral agreements.

Article VI

Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

Article VII

Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.

Article VIII

1. Any Party to the Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment of this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of such instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to the Treaty and all other Parties which, on the date the amendment is circulated, are members of the Board of Governors of the International Atomic Energy Agency. Thereafter, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

3. Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realised. At intervals of five years thereafter, a majority of the Parties to the Treaty may obtain, by submitting a proposal to this effect to the Depositary Governments, the convening of further conferences with the same objective of reviewing the operation of the Treaty.

Article IX

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of the United Kingdom of Great Britain and Northern Ireland, the Union of Soviet Socialist Republics and the United States of America, which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and forty other States signatory to this Treaty and the deposit of their instruments of ratification. For the purposes of this Treaty, a nuclear-weapon State is one which has manufactured and exploded a nuclear weapon or other nuclear explosive device prior to 1 January 1967.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article X

1. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

2. Twenty-five years after the entry into force of the Treaty, a conference shall be convened to decide whether the Treaty shall continue in force indefinitely, or shall be extended for an additional fixed period or periods. This decision shall be taken by a majority of the Parties to the Treaty.

Article XI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

IN WITNESS WHEREOF the undersigned, duly authorized, have signed this Treaty.

DONE in triplicate, at the cities of London, Moscow and Washington, the first day of July, one thousand nine hundred and sixty-eight.

ANNEX II

GENERAL ASSEMBLY RESOLUTION 2373 (XXII) OF 12 JUNE 1968

The General Assembly,

Recalling its resolutions 2346 A (XXII) of 19 December 1967, 2153 A (XXI) of 17 November 1966, 2149 (XXI) of 4 November 1966, 2028 (XX) of 19 November 1965 and 1665 (XVI) of 4 December 1961,

Convinced of the urgency and great importance of preventing the spread of nuclear weapons and of intensifying international co-operation in the development of peaceful applications of atomic energy,

Having considered the report of the Conference of the Eighteen-Nation Committee on Disarmament, dated 14 March 1968, and appreciative of the work of the Committee on the elaboration of the draft non-proliferation treaty, which is attached to that report,

Convinced that, pursuant to the provisions of the treaty, all signatories have the right to engage in research, production and use of nuclear energy for peaceful purposes and will be able to acquire source and special fissionable materials, as well as equipment for the processing, use and production of nuclear material for peaceful purposes,

Convinced further that an agreement to prevent the further proliferation of nuclear weapons must be followed as soon as possible by effective measures on the cessation of the nuclear arms race and on nuclear disarmament, and that the non-proliferation treaty will contribute to this aim,

Affirming that in the interest of international peace and security both nuclear-weapon and non-nuclear-weapon States carry the responsibility of acting in accordance with the principles of the Charter of the United Nations that the sovereign equality of all States shall be respected, that the threat or use of force in international relations shall be refrained from and that international disputes shall be settled by peaceful means,

1. *Commends* the Treaty on the Non-Proliferation of Nuclear Weapons, the text of which is annexed to the present resolution;

2. *Requests* the Depositary Governments to open the Treaty for signature and ratification at the earliest possible date;

3. *Expresses* the hope for the widest possible adherence to the Treaty by both nuclear-weapon and non-nuclear-weapon States;

4. *Requests* the Conference of the Eighteen-Nation Committee on Disarmament and the nuclear-weapon States urgently to pursue negotiations on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control;

5. *Requests* the Conference of the Eighteen-Nation Committee on Disarmament to report on the progress of its work to the General Assembly at its twenty-third session.

ANNEX III
SECURITY COUNCIL RESOLUTION 255 (1968) OF 19 JUNE 1968

The Security Council,

Noting with appreciation the desire of a large number of States to subscribe to the Treaty on the Non-Proliferation of Nuclear Weapons, and thereby to undertake not to receive the transfer from any transferor whatsoever of nuclear weapons or other nuclear explosive devices or of control over such weapons or explosive devices directly or indirectly, not to manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices, and not to seek or receive any assistance in the manufacture of nuclear weapons or other nuclear explosive devices,

Taking into consideration the concern of certain of these States that, in conjunction with their adherence to the Treaty on the Non-Proliferation of Nuclear Weapons, appropriate measures be undertaken to safeguard their security,

Bearing in mind that any aggression accompanied by the use of nuclear weapons would endanger the peace and security of all States,

1. *Recognizes* that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter;

2. *Welcomes* the intention expressed by certain States that they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used;

3. *Reaffirms* in particular the inherent right, recognized under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security.

ANNEX IV

LIST OF THE PARTIES TO THE NPT AS OF 1 JUNE 1990

(as reported by one or more of the Depositary Governments)

Afghanistan
Antigua and Barbuda
Australia
Austria
Bahamas
Bahrain
Bangladesh
Barbados
Belgium
Belize
Benin
Bhutan
Bolivia
Botswana
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Central African Republic
Chad
Colombia
Congo
Costa Rica
Côte d'Ivoire
Cyprus
Czech and Slovak Federal Republic
Democratic People's Republic of Korea
Denmark
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
Equatorial Guinea
Ethiopia
Fiji
Finland
Gabon
Gambia
German Democratic Republic
Germany, Federal Republic of
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Haiti
Holy See
Honduras
Hungary
Iceland
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Italy
Jamaica
Japan
Jordan
Kenya
Kiribati
Kuwait
Lao People's Democratic Republic
Lebanon
Lesotho
Liberia
Libyan Arab Jamahiriya
Liechtenstein
Luxembourg
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Mauritius
Mexico
Mongolia
Morocco
Nauru
Nepal
Netherlands
New Zealand
Nicaragua
Nigeria
Norway
Panama
Papua New Guinea
Paraguay
People's Republic of Kampuchea
Peru
Philippines
Poland
Portugal
Qatar
Republic of Korea
Romania
Rwanda
Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Singapore
Solomon Islands
Somalia
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Syrian Arab Republic
Thailand
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Tuvalu
Uganda
Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland
United States of America
Uruguay
Venezuela
Viet Nam
Yemen
Yugoslavia
Zaire

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THE FOURTH NPT REVIEW CONFERENCE

FINAL DECLARATION OF THE THIRD REVIEW CONFERENCE

Below is the text of the Final Declaration of the Third Review Conference as well as the texts of the Declaration by the Group of Non-Aligned and Neutral States and of the Statements by the Representative of the Islamic Republic of Iran and by the Representative of Iraq, which were reproduced in the part of the Final Document that immediately followed the Final Declaration.

FINAL DECLARATION *

The States Party to the Treaty on the Non-Proliferation of Nuclear Weapons which met in Geneva from 27 August to 21 September 1985 to review the operation of the Treaty solemnly declare:

- their conviction that the Treaty is essential to international peace and security,
- their continued support for the objectives of the Treaty which are:
  - the prevention of proliferation of nuclear weapons or other nuclear explosive devices;
  - the cessation of the nuclear arms race, nuclear disarmament and a Treaty on general and complete disarmament;
  - the promotion of co-operation between States Parties in the field of the peaceful uses of nuclear energy,
- the reaffirmation of their firm commitment to the purposes of the Preamble and the provisions of the Treaty,
- their determination to enhance the implementation of the Treaty and to further strengthen its authority.

Review of the Operation of the Treaty and Recommendations

Articles I and II and Preambular Paragraphs 1-3

The Conference noted the concerns and convictions expressed in preambular paragraphs 1 to 3 and agreed that they remain valid. The States Party to the Treaty remain resolved in their belief in the need to avoid the devastation that a nuclear war would bring. The Conference remains convinced that any proliferation of nuclear weapons would seriously increase the danger of a nuclear war.

The Conference agreed that the strict observance of the terms of Articles I and II remains central to achieving the shared objectives of preventing under any circumstances the further proliferation of nuclear weapons and preserving the Treaty's vital contribution to peace and security, including to the peace and security of non-Parties.

The Conference acknowledged the declarations by nuclear-weapon States Party to the Treaty that they had fulfilled their obligations under Article I. The Conference further acknowledged the declarations that non-nuclear-weapon States Party to the Treaty had fulfilled their obligations

* *Reproduced from NPT/CONF.III/64/I, Annex I*

under Article II. The Conference was of the view therefore that one of the primary objectives of the Treaty had been achieved in the period under review.

The Conference also expressed deep concern that the national nuclear programmes of some States non-Party to the Treaty may lead them to obtain a nuclear weapon capability. States Party to the Treaty stated that any further detonation of a nuclear explosive device by any non-nuclear-weapon State would constitute a most serious breach of the non-proliferation objective.

The Conference noted the great and serious concerns expressed about the nuclear capability of South Africa and Israel. The Conference further noted the calls on all States for the total and complete prohibition of the transfer of all nuclear facilities, resources or devices to South Africa and Israel and to stop all exploitation of Namibian uranium, natural or enriched, until the attainment of Namibian independence.

Article III and Preambular Paragraphs 4 and 5

1. The Conference affirms its determination to strengthen further the barriers against the proliferation of nuclear weapons and other nuclear explosive devices to additional States. The spread of nuclear explosive capabilities would add immeasurably to regional and international tensions and suspicions. It would increase the risk of nuclear war and lessen the security of all States. The Parties remain convinced that universal adherence to the Non-Proliferation Treaty is the best way to strengthen the barriers against proliferation and they urge all States not party to the Treaty to accede to it. The Treaty and the régime of non-proliferation it supports play a central role in promoting regional and international peace and security, *inter alia*, by helping to prevent the spread of nuclear explosives. The non-proliferation and safeguards commitments in the Treaty are essential also for peaceful nuclear commerce and co-operation.

2. The Conference expresses the conviction that IAEA safeguards provide assurance that States are complying with their undertakings and assist States in demonstrating this compliance. They hereby promote further confidence among States and, being a fundamental element of the Treaty, help to strengthen their collective security. IAEA safeguards play a key role in preventing the proliferation of nuclear weapons and other nuclear explosive devices. Unsafeguarded nuclear activities in non-nuclear-weapon States pose serious proliferation dangers.

3. The Conference declares that the commitment to non-proliferation by nuclear-weapon States Party to the Treaty pursuant to Article I, by non-nuclear-weapon States Party to the Treaty pursuant to Article II, and by the acceptance of IAEA safeguards on all peaceful nuclear activities within non-nuclear-weapon States Party to the Treaty pursuant to Article III is a major contribution by those States to regional and international security. The Conference notes with satisfaction that the commitments in Articles I-III have been met and have greatly helped prevent the spread of nuclear explosives.

4. The Conference therefore specifically urges all non-nuclear-weapon States not party to the Treaty to make an international legally-binding commitment not to acquire nuclear weapons or other nuclear explosive devices and to accept IAEA safeguards on all their peaceful nuclear activities, both current and future, to verify that commitment. The Conference further urges all States in their international nuclear co-operation and in their nuclear export policies and, specifically as a necessary basis for the transfer of relevant nuclear supplies to non-nuclear-weapon States, to take effective steps towards achieving such a commitment to non-proliferation and acceptance of such safeguards by those States. The Conference expresses its view that accession to the Non-Proliferation Treaty is the best way to achieve that objective.

5. The Conference expressed its satisfaction that four of the five nuclear-weapon States have voluntarily concluded safeguards agreements with the IAEA, covering all or part of their peaceful nuclear activities. The Conference regards those agreements as further strengthening the non-

proliferation régime and increasing the authority of IAEA and the effectiveness of its safeguards system. The Conference calls on the nuclear-weapon States to continue to co-operate fully with the IAEA in the implementation of these agreements and calls on IAEA to take full advantage of this co-operation. The Conference urges the People's Republic of China similarly to conclude a safeguards agreement with IAEA. The Conference recommends the continued pursuit of the principle of universal application of IAEA safeguards to all peaceful nuclear activities in all States. To this end, the Conference recognizes the value of voluntary offers and recommends further evaluation of the economic and practical possibility of extending application of safeguards to additional civil facilities in the nuclear-weapon States as and when IAEA resources permit and consideration of separation of the civil and military facilities in the nuclear-weapon States. Such an extending of safeguards will enable the further development and application of an effective régime in both nuclear-weapon States and non-nuclear-weapon States.

6. The Conference also affirms the great value to the non-proliferation régime of commitments by the nuclear-weapon States that nuclear supplies provided for peaceful use will not be used for nuclear weapons or other nuclear explosive purposes. Safeguards in nuclear-weapon States pursuant to their safeguards agreements with IAEA can verify observance of those commitments.

7. The Conference notes with satisfaction the adherence of further Parties to the Treaty and the conclusion of further safeguards agreements in compliance with the undertaking of the Treaty and recommends that:

(a) The non-nuclear-weapon States Party to the Treaty that have not concluded the agreements required under Article III (4) conclude such agreements with IAEA as soon as possible;

(b) The Director-General of IAEA intensify his initiative of submitting to States concerned draft agreements to facilitate the conclusion of corresponding safeguards agreements, and that Parties to the Treaty, in particular Depositary Parties, should actively support these initiatives;

(c) All States Party to the Treaty make strenuous individual and collective efforts to make the Treaty truly universal.

8. The Conference notes with satisfaction that IAEA in carrying out its safeguards activities has not detected any diversion of significant amount of safeguarded material to the production of nuclear weapons, other nuclear explosive devices or to purposes unknown.

9. The Conference notes that IAEA safeguards activities have not hampered the economic, scientific or technological development of the Parties to the Treaty, or international co-operation in peaceful nuclear activities and it urges that this situation be maintained.

10. The Conference commends IAEA on its implementation of safeguards pursuant to this Treaty and urges it to continue to ensure the maximum technical and cost effectiveness and efficiency of its operations, while maintaining consistency with the economic and safe conduct of nuclear activities.

11. The Conference note with satisfaction the improvement of IAEA safeguards which has enabled it to continue to apply safeguards effectively during a period of rapid growth in the number of safeguarded facilities. It also notes that IAEA safeguards approaches are capable of adequately dealing with facilities under safeguards. In this regard, the recent conclusion of the project to design a safeguards régime for centrifuge enrichment plants and its implementation is welcomed. This project allows the application of an effective régime to all plants of this type in the territories both of nuclear-weapon States and non-nuclear-weapon States Parties to the Treaty.

12. The Conference emphasizes the importance of continued improvements in the effectiveness and efficiency of IAEA safeguards, for example, but not limited to:

(a) Uniform and non-discriminatory implementation of safeguards;

(b) The expeditious implementation of new instruments and techniques;

(c) The further development of methods for evaluation of safeguards effectiveness in combination with safeguards information;

(d) Continued increases in the efficiency of the use of human and financial resources and of equipment.

13. The Conference believes that further improvement of the list of materials and equipment which, in accordance with Article III (2) of the Treaty, calls for the application of IAEA safeguards should take account of advances in technology.

14. The Conference recommends that IAEA establish an internationally agreed effective system of international plutonium storage in accordance with Article XII (A) 5 of its Statute.

15. The Conference welcomes the significant contributions made by States Parties in facilitating the application of IAEA safeguards and in supporting research, development and other supports to further the application of effective and efficient safeguards. The Conference urges that such co-operation and support be continued and that other States Parties provide similar support.

16. The Conference calls upon all States to take IAEA safeguards requirements fully into account while planning, designing and constructing new nuclear fuel cycle facilities and while modifying existing nuclear fuel cycle facilities.

17. The Conference also calls on States Parties to the Treaty to assist IAEA in applying its safeguards, *inter alia*, through the efficient operation of State systems of accounting for and control of nuclear material, and including compliance with all notification requirements in accordance with safeguards agreements.

18. The Conference welcomes the Agency's endeavours to recruit and train staff of the highest professional standards for safeguards implementation with due regard to the widest possible geographical distribution, in accordance with Article VII D of the IAEA Statute. It calls upon States to exercise their right regarding proposals for designation of IAEA inspectors in such a way as to facilitate the most effective use of safeguards manpower.

19. The Conference also commends to all States Parties the merits of establishment of international fuel cycle facilities, including multination participation, as a positive contribution to reassurance of the peaceful use and non-diversion of nuclear materials. While primarily a national responsibility, the Conference sees advantages in international co-operation concerning spent fuel storage and nuclear waste storage.

20. The Conference calls upon States Parties to continue their political, technical and financial support of the IAEA safeguards system.

21. The Conference underlines the need for IAEA to be provided with the necessary financial and human resources to ensure that the Agency is able to continue to meet effectively its safeguards responsibilities.

22. The Conference urges all States that have not done so to adhere to the Convention on the physical protection of nuclear material at the earliest possible date.

Article IV and Preambular Paragraphs 6 and 7

1. The Conference affirms that the NPT fosters the world-wide peaceful use of nuclear energy and reaffirms that nothing in the Treaty shall be interpreted as affecting the inalienable right of any Party of the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination and in conformity with Articles I and II.

2. The Conference reaffirms the undertaking by all Parties to the Treaty, in accordance with Article IV and preambular paragraphs 6 and 7, to facilitate the fullest possible exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy and the right of all Parties to the Treaty to participate in such exchange. In this context, the Conference recognizes the importance of services. This can contribute to progress in general and to the elimination of technological and economic gaps between the developed and developing countries.

3. The Conference reaffirms the undertaking of the Parties to the Treaty in a position to do so to

co-operate in contributing, alone or together with other States or international organizations, to the further development of the applications of nuclear energy for peaceful purposes, especially in the territories of the non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world. In this context the Conference recognizes the particular needs of the least developed countries.

4. The Conference requests that States Parties consider possible bilateral co-operation measures to further improve the implementation of Article IV. To this end, States Parties are requested to give in written form their experiences in this area in the form of national contributions to be presented in a report to the next Review Conference.

5. The Conference recognizes the need for more predictable long-term supply assurances with effective assurances of non-proliferation.

6. The Conference commends the recent progress which the IAEA's Committee on Assurances of Supply (CAS) has made towards agreeing a set of principles related to this matter, and expresses the hope that the Committee will complete this work soon. The Conference further notes with satisfaction the measures which CAS has recommended to the IAEA Board of Governors for alleviating technical and administrative problems in international shipments of nuclear items, emergency and back-up mechanisms, and mechanisms for the revision of international nuclear co-operation agreements and calls for the early completion of the work of CAS and the implementation of its recommendations.

7. The Conference reaffirms that in accordance with international law and applicable treaty obligations, States should fulfil their obligations under agreements in the nuclear field, and any modification of such agreements, if required, should be made only by mutual consent of the parties concerned.

8. The Conference confirms that each country's choices and decisions in the field of peaceful uses of nuclear energy should be respected without jeopardizing their respective fuel cycle policies. International co-operation in this area, including international transfer and subsequent operations should be governed by effective assurances of non-proliferation and predictable long-term supply assurances. The issuance of related licences and authorization involved should take place in a timely fashion.

9. While recognizing that the operation and management of the back-end of the fuel cycle including nuclear waste storage are primarily a national responsibility, the Conference acknowledges the importance for the peaceful uses of nuclear energy of international and multilateral collaboration for arrangements in this area.

10. The Conference expresses its profound concern about the Israeli military attack on Iraq's safeguarded nuclear reactor on 7 June 1981. The Conference recalls Security Council Resolution 487 of 1981, strongly condemning the military attack by Israel which was unanimously adopted by the Council and which considered that the said attack constituted a serious threat to the entire IAEA safeguards régime which is the foundation of the Non-Proliferation Treaty. The Conference also takes note of the decisions and resolutions adopted by the United Nations General Assembly and the International Atomic Energy Agency on this attack, including Resolution 425 of 1984 adopted by the General Conference of the IAEA.

11. The Conference recognizes that an armed attack on a safeguarded nuclear facility, or threat of attack, would create a situation in which the Security Council would have to act immediately in accordance with provisions of the United Nations Charter. The Conference further emphasizes the responsibilities of the Depositaries of NPT in their capacity as permanent members of the Security Council to endeavour, in consultation with the other members of the Security Council, to give full consideration to all appropriate measures to be undertaken by the Security Council to deal with the situation, including measures under Chapter VII of the United Nations Charter.

12. The Conference encourages Parties to be ready to provide immediate peaceful assistance in accordance with international law to any Party

to the NPT, if it so requests, whose safeguarded nuclear facilities have been subject to an armed attack, and calls upon all States to abide by any decisions taken by the Security Council in accordance with the United Nations Charter in relation to the attacking State.

13. The Conference considers that such attacks could involve grave dangers due to the release of radioactivity and that such attacks or threats of attack jeopardize the development of the peaceful uses of nuclear energy. The Conference also acknowledges that the matter is under consideration by the Conference on Disarmament and urges co-operation of all States for its speedy conclusion.

14. The Conference acknowledges the importance of the work of the International Atomic Energy Agency (IAEA) as the principal agent for technology transfer amongst the international organizations referred to in Article IV (2) and welcomes the successful operation of the Agency's technical assistance and co-operation programmes. The Conference records with appreciation that projects supported from these programmes covered a wide spectrum of applications, related both to power and non-power uses of nuclear energy notably in agriculture, medicine, industry and hydrology. The Conference notes that the Agency's assistance to the developing States Party to the Treaty has been chiefly in the non-power uses of nuclear energy.

15. The Conference welcomes the establishment by the IAEA, following a recommendation of the First Review Conference of the Parties to the Treaty, of a mechanism to permit the channelling of extra-budgetary funds to projects additional to those financed from the IAEA Technical Assistance and Co-operation Fund. The Conference notes that this channel has been used to make additional resources available for a wide variety of projects in developing States Party to the Treaty.

16. In this context, the Conference proposes the following measures for consideration by the IAEA:

(i) IAEA assistance to developing countries in siting, construction, operation and safety of nuclear power projects and the associated trained manpower provision to be strengthened.

(ii) To provide, upon request, assistance in securing financing from outside sources for nuclear power projects in developing countries, and in particular the least developed countries.

(iii) IAEA assistance in nuclear planning systems for developing countries to be strengthened in order to help such countries draw up their own nuclear development plans.

(iv) IAEA assistance on country-specific nuclear development strategies to be further developed, with a view to identifying the application of nuclear technology that can be expected to contribute most to the development both of individual sectors and developing economies as a whole.

(v) Greater support for regional co-operative agreements, promoting regional projects based on regionally agreed priorities and using inputs from regional countries.

(vi) Exploration of the scope for multi-year, multi-donor projects financed from the extra-budgetary resources of the IAEA.

(vii) The IAEA's technical co-operation evaluation activity to be further developed, so as to enhance the Agency's effectiveness in providing technical assistance.

17. The Conference underlines the need for the provision to the IAEA of the necessary financial and human resources to ensure that the Agency is able to continue to meet effectively its responsibilities.

18. The Conference notes the appreciable level of bilateral co-operation in the peaceful uses of nuclear energy, and urges that States in a position to do so should continue and where possible increase the level of their co-operation in these fields.

19. The Conference urges that preferential treatment should be given to the non-nuclear-weapon States Party to the Treaty in access to or transfer of equipment, materials, services and scientific and technological information for the peaceful uses of nuclear energy, taking particularly into account needs of developing countries.

20. Great and serious concerns were expressed at the Conference about the nuclear capability of South Africa and Israel and that the development of such a capability by South Africa and Israel would undermine the credibility and stability of the non-proliferation Treaty régime. The Conference noted the demands made on all States to suspend any co-operation which would contribute to the nuclear programme of South Africa and Israel. The Conference further noted the demands made on South Africa and Israel to accede to the NPT, to accept IAEA safeguards on all their nuclear facilities and to pledge themselves not to manufacture or acquire nuclear weapons or other nuclear explosive devices.

21. The Conference recognizes the growing nuclear energy needs of the developing countries as well as the difficulties which the developing countries face in this regard, particularly with respect to financing their nuclear power programmes. The Conference calls upon States Party to the Treaty to promote the establishment of favourable conditions in national, regional and international financial institutions for financing of nuclear energy projects including nuclear power programmes in developing countries. Furthermore, the Conference calls upon the IAEA to initiate and the Parties to the Treaty to support the work of an expert group study on mechanisms to assist developing countries in the promotion of their nuclear power programmes, including the establishment of a Financial Assistance Fund.

22. The Conference recognizes that further IAEA assistance in the preparation of feasibility studies and infrastructure development might enhance the prospects for developing countries for obtaining finance, and recommends such countries as are members of the Agency to apply for such help under the Agency's technical assistance and co-operation programmes. The Conference also acknowledges that further support for the IAEA's Small and Medium Power Reactor (SMPR) Study could help the development of nuclear reactors more suited to the needs of some of the developing countries.

23. The Conference expresses its satisfaction at the progress in the preparations for the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy (UNCPICPUNE) and its conviction that UNCPICPUNE will fully realize its goals in accordance with the objectives of resolution 32/50 and relevant subsequent resolutions of the General Assembly for the development of national programmes of peaceful uses of nuclear energy for economic and social development, especially in the developing countries.

24. The Conference considers that all proposals related to the promotion and strengthening of international co-operation in the peaceful uses of nuclear energy which have been produced by the Third Review Conference of the NPT, be transmitted to the Preparatory Committee of the UNCPICPUNE.

Article V

1. The Conference reaffirms the obligation of Parties to the Treaty to take appropriate measures to ensure that potential benefits from any peaceful applications of nuclear explosions are made available to non-nuclear-weapon States Party to the Treaty in full accordance with the provisions of article V and other applicable international obligations, that such services should be provided to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used should be as low as possible and exclude any charge for research and development.

2. The Conference confirms that the IAEA would be the appropriate international body through which any potential benefits of the peaceful applications of nuclear explosions could be made available to non-nuclear weapon States under the terms of article V of the Treaty.

3. The Conference notes that the potential benefits of the peaceful applications of nuclear explosions have not been demonstrated and that no requests for services related to the peaceful applications of nuclear explosions have been

received by the IAEA since the Second NPT Review Conference.

Article VI and Preambular Paragraphs 8-12

A

1. The Conference recalled that under the provisions of article VI all parties have undertaken to pursue negotiations in good faith:

- on effective measures relating to cessation of the nuclear arms race at an early date;
- on effective measures relating to nuclear disarmament;
- on a Treaty on general and complete disarmament under strict and effective international control.

2. The Conference undertook an evaluation of the achievements in respect of each aspect of the article in the period under review, and paragraphs 8 to 12 of the preamble, and in particular with regard to the goals set out in preambular paragraph 10 which recalls the determination expressed by the parties to the Partial Test Ban Treaty to:

- continue negotiations to achieve the discontinuance of all test explosions of nuclear weapons for all time.

3. The Conference recalled the declared intention of the Parties to the Treaty to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament and their urging made to all States Parties to co-operate in the attainment of this objective. The Conference also recalled the determination expressed by the parties to the 1963 Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water in its preamble to seek to achieve the discontinuance of all test explosions on nuclear weapons for all time and the desire to further the easing of international tension and the strengthening of trust between States in order to facilitate the cessation of the manufacture of nuclear weapons, the liquidation of all existing stockpiles, and the elimination from national arsenals of nuclear weapons and the means of their delivery.

4. The Conference notes that the Tenth Special Session of the General Assembly of the United Nations concluded, in paragraph 50 of its Final Document, that the achievement of nuclear disarmament will require urgent negotiations of agreements at appropriate stages and with adequate measures of verification satisfactory to the States concerned for:

(a) Cessation of the qualitative improvement and development of nuclear-weapon systems;

(b) Cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes;

(c) A comprehensive, phased programme with agreed time-tables whenever feasible, for progressive and balanced reduction of stockpiles of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time.

5. The Conference also recalled that in the Final Declaration of the First Review Conference, the Parties expressed the view that the conclusion of a treaty banning all nuclear-weapon tests was one of the most important measures to halt the nuclear arms race and expressed the hope that the nuclear-weapon States Party to the Treaty would take the lead in reaching an early solution of the technical and political difficulties of this issue.

6. The Conference examined developments relating to the cessation of the nuclear arms race, in the period under review and noted in particular that the destructive potentials of the nuclear arsenals of nuclear-weapon States Parties, were undergoing continuing development, including a growing research and development component in military spending, continued nuclear testing, development of new delivery systems and their deployment.

7. The Conference noted the concerns expressed regarding developments with far reaching implications and the potential of a new environment, space, being drawn into the arms race. In that regard the Conference also noted the fact that the United States of America and the Union of Soviet Socialist Republics are pursuing

bilateral negotiations on a broad complex of questions concerning space and nuclear arms, with a view to achieving effective agreements aimed at preventing an arms race in space and terminating it on Earth.

8. The Conference noted with regret that the development and deployment of nuclear weapon systems had continued during the period of review.

9. The Conference also took note of numerous proposals and actions, multilateral and unilateral, advanced during the period under review by many States with the aim of making progress towards the cessation of the nuclear arms race and nuclear disarmament.

10. The Conference examined the existing situation in the light of the undertaking assumed by the parties in Article VI to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament. The Conference recalled that a stage of negotiations on the Strategic Arms Limitations Talks (SALT II) had been concluded in 1979, by the signing of the Treaty which had remained unratified. The Conference noted that both the Union of Soviet Socialist Republics and the United States of America have declared that they are abiding by the provisions of SALT II.

11. The Conference recalled that the bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America which were held between 1981 and 1983 were discontinued without any concrete results.

12. The Conference noted that bilateral negotiations between the Union of Soviet Socialist Republics and the United States of America had been held in 1985 to consider questions concerning space and nuclear arms, both strategic and intermediate-range, with all the questions considered and resolved in their interrelationship. No agreement has emerged so far. These negotiations are continuing.

13. The Conference evaluated the progress made in multilateral nuclear disarmament negotiations in the period of the Review.

14. The Conference recalled that the trilateral negotiations on a comprehensive test ban treaty, begun in 1977 between the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America, had not continued after 1980, that the Committee on Disarmament and later the Conference on Disarmament had been called upon by the General Assembly of the United Nations in successive years to begin negotiations on such a Treaty, and noted that such negotiations had not been initiated, despite the submission of draft treaties and different proposals to the Conference on Disarmament in this regard.

15. The Conference noted the lack of progress on relevant items of the agenda of the Conference on Disarmament, in particular those relating to the cessation of the nuclear arms race and nuclear disarmament, the prevention of nuclear war including all related matters and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

16. The Conference noted that two Review Conferences had taken place since 1980, one on the Sea-bed Treaty and one on the Environmental Modification Treaty and three General Conferences of the Agency for the Prohibition of Nuclear Weapons in Latin America. In 1982, a Special United Nations General Assembly Session on Disarmament took place without any results in matters directly linked to nuclear disarmament.

17. The Conference also noted the last five years had thus not given any results concerning negotiations on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament.

B

1. The Conference concluded that, since no agreements had been reached in the period under review on effective measures relating to the cessation of an arms race at an early date, on nuclear disarmament and on a Treaty on general and complete disarmament under strict and effective international control, the aspirations contained in preambular paragraphs 8 to 12 had still not been

met, and the objectives under Article VI had not yet been achieved.

2. The Conference reiterated that the implementation of Article VI is essential to the maintenance and strengthening of the Treaty, reaffirmed the commitment of all States Parties to the implementation of this Article and called upon the States Parties to intensify their efforts to achieve fully the objectives of the Article. The Conference addressed a call to the nuclear-weapon States Parties in particular to demonstrate this commitment.

3. The Conference welcomes the fact that the United States of America and the Union of Soviet Socialist Republics are conducting bilateral negotiations on a complex of questions concerning space and nuclear arms—both strategic and intermediate-range—with all these questions considered and resolved in their interrelationship. It hopes that these negotiations will lead to early and effective agreements aimed at preventing an arms race in space and terminating it on Earth, at limiting and reducing nuclear arms, and at strengthening strategic stability. Such agreements will complement and ensure the positive outcome of multilateral negotiations on disarmament, and would lead to the reduction of international tensions and the promotion of international peace and security. The Conference recalls that the two sides believe that ultimately the bilateral negotiations, just as efforts in general to limit and reduce arms, should lead to the complete elimination of nuclear arms everywhere.

4. The Conference urges the Conference on Disarmament, as appropriate, to proceed to early multilateral negotiations on nuclear disarmament in pursuance of paragraph 50 of the Final Document of the First Special Session of the General Assembly of the United Nations devoted to disarmament.

5. The Conference reaffirms the determination expressed in the preamble of the 1963 Partial Test Ban Treaty, confirmed in Article I (b) of the said Treaty and reiterated in preambular paragraph 10 of the Non-Proliferation Treaty, to achieve the discontinuance of all test explosions of nuclear weapons for all time.

6. The Conference also recalls that in the Final Document of the First Review Conference, the Parties expressed the view that the conclusion of a Treaty banning all nuclear weapons tests was one of the most important measures to halt the nuclear arms race. The Conference stresses the important contribution that such a treaty would make toward strengthening and extending the international barriers against the proliferation of nuclear weapons; it further stresses that adherence to such a treaty by all States would contribute substantially to the full achievement of the non-proliferation objective.

7. The Conference also took note of the appeals contained in five successive United Nations General Assembly resolutions since 1981 for a moratorium on nuclear weapons testing pending the conclusion of a comprehensive test ban Treaty, and of similar calls made at this Conference. It also took note of the measure announced by the Union of Soviet Socialist Republics for a unilateral moratorium on all nuclear explosions from 6 August 1985 until 1 January 1986, which would continue beyond that date if the United States of America, for its part, refrained from carrying out nuclear explosions. The Union of Soviet Socialist Republics suggested that this would provide an example for other nuclear-weapon States and would create favourable conditions for the conclusion of a Comprehensive Test Ban Treaty and the promotion of the fuller implementation of the Non-Proliferation Treaty.

8. The Conference took note of the unconditional invitation extended by the United States of America to the Union of Soviet Socialist Republics to send observers, who may bring any equipment they deem necessary, to measure a United States of America nuclear test in order to begin a process which in the view of the United States of America would help to ensure effective verification of limitations on underground nuclear testing.

9. The Conference also took note of the appeals contained in five United Nations General Assembly resolutions since 1982 for a freeze on all nuclear weapons in quantitative and qualitative

terms, which should be taken by all nuclear-weapon States or, in the first instance and simultaneously, by the Union of Soviet Socialist Republics and the United States of America on the understanding that the other nuclear-weapon States would follow their example, and of similar calls made at this Conference.

10. The Conference took note of proposals by the Union of Soviet Socialist Republics and the United States of America for the reduction of nuclear weapons.

11. The Conference took note of proposals submitted by States Parties on a number of related issues relevant to achieving the purposes of Article VI and set out in Annex I to this document and in the statements made in the General Debate of the Conference.

12. The Conference reiterated its conviction that the objectives of Article VI remained unfulfilled and concluded that the nuclear-weapon States should make greater efforts to ensure effective measures for the cessation of the nuclear arms race at an early date, for nuclear disarmament and for a Treaty on general and complete disarmament under strict and effective international control.

The Conference expressed the hope for rapid progress in the United States-USSR bilateral negotiations.

The Conference except for certain States whose views are reflected in the following subparagraph deeply regretted that a comprehensive multilateral Nuclear Test Ban Treaty banning all nuclear tests by all States in all environments for all time had not been concluded so far and, therefore, called on the nuclear-weapon States Party to the Treaty to resume trilateral negotiations in 1985 and called on all the nuclear-weapon States to participate in the urgent negotiation and conclusion of such a Treaty as a matter of the highest priority in the Conference on Disarmament.

At the same time, the Conference noted that certain States Party to the Treaty, while committed to the goal of an effectively verifiable comprehensive Nuclear Test Ban Treaty, considered deep and verifiable reductions in existing arsenals of nuclear weapons as the highest priority in the process of pursuing the objectives of Article VI.

The Conference also noted the statement of the USSR, as one of the nuclear-weapon States Party to the Treaty, recalling its repeatedly expressed readiness to proceed forthwith to negotiations, trilateral and multilateral, with the aim of concluding a comprehensive Nuclear Test Ban Treaty and the submission by it of a draft Treaty proposal to this end.

Article VII and the Security of Non-Nuclear-Weapon States

1. The Conference observes the growing interest in utilizing the provisions of Article VII of the Non-Proliferation Treaty, which recognizes the right of any group of States to conclude regional treaties in order to assure the absence of nuclear weapons in their respective territories.

2. The Conference considers that the establishment of nuclear-weapon-free zones on the basis of arrangements freely arrived at among the States of the region concerned constitutes an important disarmament measure and therefore the process of establishing such zones in different parts of the world should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons. In the process of establishing such zones, the characteristics of each region should be taken into account.

3. The Conference emphasizes the importance of concluding nuclear-weapon-free zone arrangements in harmony with internationally recognized principles, as stated in the Final Document of the First Special Session of the United Nations devoted to disarmament.

4. The Conference holds the view that, under appropriate conditions, progress towards the establishment of nuclear-weapon-free zones will create conditions more conducive to the establishment of zones of peace in certain regions of the world.

5. The Conference expressed its belief that concrete measures of nuclear disarmament would significantly contribute to creating favourable con-

ditions for the establishment of nuclear-weapon-free zones.

6. The Conference expressed its satisfaction at the continued successful operation of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco). It reaffirms the repeated exhortations of the General Assembly to France, which is already a signatory of Additional Protocol I, to ratify it, and calls upon the Latin American States that are eligible to become parties to the Treaty to do so. The Conference welcomes the signature and ratification of Additional Protocol II to this Treaty by all nuclear-weapon States.

7. The Conference also notes the continued existence of the Antarctic Treaty.

8. The Conference notes the endorsement of the South Pacific Nuclear Free Zone Treaty by the South Pacific Forum on 6 August 1985 at Rarotonga and welcomes this achievement as consistent with Article VII of the Non-Proliferation Treaty. The Conference also takes note of the draft Protocols to the South Pacific Nuclear Free Zone Treaty and further notes the agreement at the South Pacific Forum that consultations on the Protocols should be held between members of the Forum and the nuclear-weapon States eligible to sign them.

9. The Conference takes note of the existing proposals and the ongoing regional efforts to achieve nuclear-weapon-free zones in different areas of the world.

10. The Conference recognizes that for the maximum effectiveness of any treaty arrangements for establishing a nuclear-weapon-free zone the co-operation of the nuclear-weapon States is necessary. In this connection, the nuclear-weapon States are invited to assist the efforts of States to create nuclear-weapon-free zones, and to enter into binding undertakings to respect strictly the status of such a zone and to refrain from the use or threat of use of nuclear weapons against the States of the zone.

11. The Conference welcomes the consensus reached by the United Nations General Assembly at its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security, and urges all parties directly concerned to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East.

12. The Conference also invites the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to the letter and spirit of United Nations General Assembly resolution 39/54.

13. The Conference considers that acceding to the Non-Proliferation Treaty and acceptance of IAEA safeguards by all States in the region of the Middle East will greatly facilitate the creation of a nuclear-weapon-free zone in the region and will enhance the credibility of the Treaty.

14. The Conference considers that the development of a nuclear weapon capability by South Africa at any time frustrates the implementation of the Declaration on the Denuclearization of Africa and that collaboration with South Africa in this area would undermine the credibility and stability of the Non-Proliferation Treaty régime. South Africa is called upon to submit all its nuclear installations and facilities to IAEA safeguards and to accede to the Non-Proliferation Treaty. All States Parties directly concerned are urged to consider seriously taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in Africa. The nuclear-weapon States are invited to assist the efforts of States to create a nuclear-weapon-free zone in Africa, and to enter into binding undertakings to respect strictly the status of such a zone and to refrain from the use or threat of use of nuclear weapons against the States of the zone.

15. The Conference considers that the most effective guarantee against the possible use of nuclear weapons and the danger of nuclear war is nuclear disarmament and the complete elimination of nuclear weapons. Pending the achievement

of this goal on a universal basis and recognizing the need for all States to ensure their independence, territorial integrity and sovereignty, the Conference reaffirms the particular importance of assuring and strengthening the security of non-nuclear-weapon States Parties which have renounced the acquisition of nuclear weapons. The Conference recognizes that different approaches may be required to strengthen the security of non-nuclear-weapon States Parties to the Treaty.

16. The Conference underlines again the importance of adherence to the Treaty by non-nuclear-weapon States as the best means of reassuring one another of their renunciation of nuclear weapons and as one of the effective means of strengthening their mutual security.

17. The Conference takes note of the continued determination of the Depositary States to honour their statements, which were welcomed by the United Nations Security Council in resolution 255 (1968), that, to ensure the security of the non-nuclear-weapon States Parties to the Treaty, they will provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty which is a victim of an act or an object of a threat of aggression in which nuclear weapons are used.

18. The Conference reiterates its conviction that, in the interest of promoting the objectives of the Treaty, including the strengthening of the security of non-nuclear-weapon States Parties, all States, both nuclear-weapon and non-nuclear-weapon States, should refrain, in accordance with the Charter of the United Nations, from the threat or the use of force in relations between States, involving either nuclear or non-nuclear weapons.

19. The Conference recalls that the Tenth Special Session of the General Assembly in paragraph 59 of the Final Document took note of the declarations made by the nuclear-weapon States regarding the assurance of non-nuclear-weapon States against the use or threat of use of nuclear weapons and urged them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

20. Being aware of the consultations and negotiations on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, which have been under way in the Conference on Disarmament for several years, the Conference regrets that the search for a common approach which could be included in an international legally binding instrument, has been unsuccessful. The Conference takes note of the repeatedly expressed intention of the Conference on Disarmament to continue to explore ways and means to overcome the difficulties encountered in its work and to carry out negotiations on the question of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. In this connection, the Conference calls upon all States, particularly the nuclear-weapon States, to continue the negotiations in the Conference on Disarmament devoted to the search for a common approach acceptable to all, which could be included in an international instrument of a legally binding character.

Article VIII

The States Party to the Treaty participating in the Conference propose to the Depositary Governments that a fourth Conference to review the operation of the Treaty be convened in 1990.

The Conference accordingly invites States Party to the Treaty which are Members of the United Nations to request the Secretary-General of the United Nations to include the following item in the provisional agenda of the forty-third session of the General Assembly:

"Implementation of the conclusions of the third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and establishment of a Preparatory Committee for the fourth Conference."

Article IX

The Conference, having expressed great satisfaction that the overwhelming majority of States have

acceded to the Treaty on the Non-Proliferation of Nuclear Weapons and having recognized the urgent need for further ensuring the universality of the Treaty, appeals to all States, particularly the nuclear-weapon States and other States advanced in nuclear technology, which have not yet done so, to adhere to the Treaty at the earliest possible date.

DECLARATION BY THE GROUP OF NON-ALIGNED AND NEUTRAL STATES*

The delegations of the States members of the Group of Non-Aligned and Neutral States taking part in the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons submitted to the Conference the following three draft resolutions:

1. Draft resolution on a Comprehensive Nuclear Test Ban (NPT/CONF.III/L.1)

2. Draft resolution on a Nuclear Test Ban Moratorium (NPT/CONF.III/L.2)

3. Draft resolution on a Nuclear-Arms Freeze (NPT/CONF.III/L.3)

The objective pursued by the first of those three draft resolutions was achieved on the closing day of the Conference thanks to the approval by consensus, for inclusion in paragraph 12 of the Final Declaration of the Conference, of a text in which, with the exception indicated therein, it is unequivocally declared that:

"The Conference . . . deeply regretted that a comprehensive multilateral nuclear test-ban treaty banning all nuclear tests by all States in all environments for all time had not been concluded so far and, therefore, called on the nuclear-weapon States Party to the Treaty to resume trilateral negotiations in 1985 and called on all the nuclear-weapon States to participate in the urgent negotiation and conclusion of such a treaty as a matter of the highest priority in the Conference on Disarmament."

With regard to the other two above-mentioned draft resolutions, the sponsoring delegations wish to place on record that they have decided not to press them to a vote on this occasion for the following reasons: that there was unanimous acceptance for the reproduction of their texts together with this Declaration, immediately following the text of the Final Declaration, and that in paragraphs B-7 and B-9 of the Final Declaration, the Conference explicitly took note of the repeated appeals contained in many resolutions of the United Nations General Assembly, as well as "similar calls made at this Conference" in connection with a moratorium on nuclear weapons testing and a quantitative and qualitative freeze of all nuclear weapons, respectively.

Group of Non-Aligned and Neutral States

Draft Resolution on a Nuclear Test Ban Moratorium

(Document NPT/CONF.III/L.2)

The Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recalling that article VI of the Treaty on the Non-Proliferation of Nuclear Weapons contains an undertaking by each of the Parties "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date",

Considering that the cessation of all nuclear weapon tests would constitute a most important and effective measure for the qualitative cessation of the nuclear arms race,

Considering further that a moratorium on nuclear test explosions, as a provisional measure, has been called for by the General Assembly of the United Nations at each of its last five sessions,

Calls upon the three Depositary States of the Treaty on the Non-Proliferation of Nuclear Weapons to institute, as a provisional measure, an immediate moratorium on all nuclear weapon tests.

Group of Non-aligned and Neutral States

Draft Resolution on a Nuclear-Arms Freeze

(Document NPT/CONF.III/L.3)

The Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,

Recalling that Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons con-

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* *Reproduced from NPT/CONF.III/64/I, Annex II*

tains an undertaking by each of the Parties "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament",

Considering that a nuclear-arms freeze, while not an end in itself, would constitute the most effective first step for a cessation of the nuclear-arms race,

Calls on the three Depositary States of the Treaty on the Non-Proliferation of Nuclear Weapons:

1. To agree on a complete freeze on the testing, production and deployment of all nuclear weapons and their delivery vehicles;

2. To begin negotiations for substantial reductions of their existing stockpiles of nuclear weapons and delivery vehicles.

STATEMENT BY THE REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN AT THE 16TH PLENARY MEETING OF THE

Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*

Mr. President, as you are probably informed the peaceful nuclear facility of Bushehr has been subjected three times to military attack, twice in 1985 and once in 1984. The attacks have been deliberate in nature in that there are no militarily significant objectives to be gained from attacking the area or its surroundings. As a result of the attack that was carried out in February 1985 against the Bushehr nuclear power plant with two missiles, one of the site's personnel was killed within the boundary of the plant and material damage was caused to the plant. The third attack on the plant, the second in 1985, occurred in the month of March, causing much more extensive damage than previously inflicted. This time damage was inflicted on the plant's operating diesel generator house and the concrete structures of the reactor building of the plant. Each attack was appropriately reported to the Director-General of IAEA. In response to the attack carried out on 4 March 1985 he declared in his communication dated 8 March 1985 that "I want to express my deep regret at the serious material losses which you have reported to me". The Director-General also pointed out that "I continue to concur with the view expressed in General Conference resolution 407 that all armed attacks against nuclear installations devoted to peaceful purposes should be explicitly prohibited".

Mr. President, in the context of the recent attacks against peaceful nuclear facilities I also find it appropriate to refer to the summary record of the statement made on 19 February 1985 in the General Conference of IAEA: "One of the most serious problems facing the Agency in recent years had been the threat of armed attack on peaceful nuclear facilities". In another part of this quotation, another part of this summary record, the Director-General says: "In view of proposals to construct nuclear-power reactors in several countries of the Middle East, those countries and indeed the world at large would naturally require without delay firm assurance that such peaceful facilities would be immune from attack."

Mr. President, the delegation of the Islamic Republic of Iran made a very modest proposal with regard to attacks against its peaceful nuclear facilities in Bushehr and in Teheran. The facility in Teheran is a safeguarded facility, I should point out. We proposed a modest formulation in which the Conference strongly deplored attacks against peaceful facilities in Iran.

Then, in Committee III, we had a proposal in this regard by the Chairman of the Committee, Ambassador Imai, for whom we have much respect and admiration. This proposal is reflected in paragraph 14 (d) of document NPT/CONF.III/61. It reads that "the Conference notes that the Islamic Republic of Iran states its concern regarding attacks on its nuclear facilities".

Mr. President, we decided to go along with this formulation although it is indeed too objective for our real concerns. It is a very objective proposal reflected in document NPT/CONF.III/61 and in the report of Committee III, and we decided to accept this in order to facilitate the work of the Conference and in order to cooperate with the Chairman of Committee III and with the Drafting Committee and the President of the Conference.

Mr. President, with this formulation we can go along and we can have consensus with the whole report of the Conference, and without it we regret that we cannot go along with the process of

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** This statement is attached pursuant to the agreement of the Conference at its 16th plenary meeting on 21 September 1985.*

consensus in this Conference. Of course, we are ready to hear proposals which are in a way reflective of the concerns of the Islamic Republic of Iran in an appropriate manner, and in this regard we have been making consultations with you and we very much appreciate your assistance and your co-operation in this regard.

At this point I wish to express our thanks to you and wait for a solution that you might propose to this problem.

STATEMENT BY THE REPRESENTATIVE OF IRAQ AT THE 16TH PLENARY MEETING OF THE

Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*

Let me first say that the distinguished delegate of Iran has referred to the report submitted to the Director-General of the Agency in regard to attacks on Bushehr. In that report specific mention of Iraq was made, and this is why I am intervening now.

Mr. President, it is to our deep regret that this Review Conference has meant nothing for the Iranian delegation except to offer an opportunity for a propaganda barrage and fabrications against my country.

Everyone knows there is a war between Iraq and Iran, and everyone knows that this war has continued now for over five years. Any constructive intervention here should be with a view to stopping that war. We know that the war is continuing because Security Council resolutions on this matter have been disregarded, disrespected, and not carried out by the other party to the war.

Neither has that party responded to the many efforts taken by so many international forums as the Islamic Conference, the Non-Aligned Movement,etc.

Now to come to the specific question of Bushehr. First of all, I would like to make clear to the Conference that Bushehr is a war zone declared by Iraq. It is a port where these installations are located. Nevertheless, military authorities in Iraq have once again denied emphatically that any deliberate attack on that construction site has taken place. And that was submitted in a letter to the Director-General of the International Atomic Energy Agency.

These alleged attacks were reported first on 19 April 1984. Iran requested an urgent meeting of the Board of Governors. However, the Director-General found no reason to do so. Again, in June 1984, Iran requested to include an item on the agenda of the Board of Governors to consider that, but the Board refused to do so because there was no evidence of such an attack.

Now the report referred to by the delegate of Iran that was given to the General Conference of IAEA in 1984, that was in direct response by the Director-General to resolution 409 adopted in 1983 by the General Conference in regard to the Israeli attack on the Iraqi peaceful nuclear facilities, and not to other matters.

Mr. President, Bushehr site contains no nuclear material, has no facility attachment negotiated with IAEA and does not qualify to be a nuclear facility. These are the words of the Director-General of IAEA.

Under such circumstances our Conference cannot take into account considerations arising from disputes, and for that matter armed conflicts, between two States. Our Conference is not the place where the war should be discussed. There are other fora, namely the Security Council of the United Nations, or the General Assembly, where one should go.

And one last remark, Mr. President. Every time the question of the Israeli attack comes into the discussion, Iran is quick to level allegations against Iraq in the same spirit. We will not be pressured by that. Our position will stay firm and we will never cease to have our points of view well recognized on the Israeli aggression.

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* *This statement is attached pursuant to the agreement of the Conference at its 16th plenary meeting on 21 September 1985.*

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THE FOURTH NPT REVIEW CONFERENCE

INTERNATIONAL ATOMIC ENERGY AGENCY

The Statute of the International Atomic Energy Agency (IAEA) was approved on 23 October 1956 at an international conference held at United Nations Headquarters, and the Agency came into existence in Vienna on 29 July 1957. On 14 November 1957, the General Assembly approved an agreement concerning IAEA's relationship with the United Nations.

▸ **Aims and activities:** In accordance with its Statute, IAEA's two main objectives are to seek "to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world", and to ensure, so far as it is able, "that assistance provided by it, or at its request or under its supervision or control, is not used in such a way as to further any military purpose".

To achieve these aims, the IAEA fosters research and development in peaceful uses of nuclear energy, promotes the exchange of scientific and technical information, assists Member States through technical co-operation, administers safeguards against the diversion of nuclear materials to military purposes, establishes standards for nuclear safety and radiation protection.

One of the Agency's main functions is to establish and apply safeguards to ensure that nuclear materials and equipment intended for peaceful use are not diverted to military purposes. IAEA safeguards are essentially a technical means of verifying the fulfilment of political obligations undertaken by States and given legal force in international agreements relating to the peaceful uses of nuclear energy.

IAEA safeguards are applied under the terms of separate legal agreements concluded between the Agency and the Member States concerned. Many are popularly known as "full scope" agreements because they extend to all peaceful nuclear activities and materials in the State. These mainly relate to the NPT and also to the Treaty for the Prohibition of Nuclear Weapons in Latin America (the Treaty of Tlatelolco) and to the South Pacific Nuclear Free Zone Treaty (the Rarotonga Treaty). Other safeguards agreements cover individual nuclear installations or individual quantities of nuclear material.

At the end of 1989, there was a total of 172 safeguards agreements in force with 102 States. In 59 States with significant nuclear activities, 924 installations and related facilities were under safeguards or contained safeguarded materials. Approximately 95% of the nuclear activities in the non-nuclear-weapon States are presently under IAEA safeguards.

Safeguards agreements were in force with 83 non-nuclear-weapon States pursuant to the NPT. Forty-six of these States have substantial nuclear activities which are safeguarded by the Agency.

Eighteen of the twenty-three Latin American States party to the Tlatelolco Treaty have concluded agreements with the Agency pursuant to the Treaty, as have two States with territories in the zone of application of this Treaty.

NPT safeguards agreements have also been concluded with ten of the eleven States signatories of the Rarotonga Treaty, and safeguards were applied in one of these States pursuant to such an agreement.

In addition, a limited number of peaceful nuclear installations in all five nuclear-weapon States were covered by IAEA safeguards under so-called "voluntary offer" agreements.

There were eight States not party to the NPT or the Treaty of Tlatelolco which had nuclear facilities in operation or under construction. In some of these States only some installations were under safeguards and there were unsafeguarded nuclear facilities known to be in operation or under construction.

The IAEA safeguards system is primarily based on nuclear material accountancy, verified on the spot by IAEA inspectors. In addition to on-site inspections, the implementation of safeguards includes electronic surveillance and other technical measures.

The most visible components of the IAEA's safeguards system are the designated inspectors. Under agreed rights of access, they regularly visit nuclear installations to verify records, check instruments and surveillance equipment, and confirm physical inventories of nuclear materials; they later prepare detailed reports to the State concerned and to the IAEA. In 1989, 211 IAEA inspectors performed nearly 2,200 safeguards inspections worldwide.

GROWTH OF IAEA SAFEGUARDS INSPECTION ACTIVITIES DURING THE PERIOD 1980–1989
(including safeguards activities in nuclear-weapon States)

	1980	1985	1986	1987	1988	1989*
Number of installations under safeguards	772	899	910	913	920	924
Number of installations inspected	393	509	595	627	666	633
Number of inspections carried out	1,100	1,981	2,054	2,133	2,128	2,188
Number of inspectors (including inspection assistants)	116	180	192	195	196	211
Number of man-days of inspection	4,004	7,750	8,292	9,556	9,379	10,100
Total safeguards budget in thousands of dollars (based on 1989 price levels)	38,477	51,125	51,125	51,125	51,381	52,922

* Some figures for 1989 are estimates.

During inspections, IAEA inspectors conduct independent measurements for on-the-spot confirmation of the enrichment level and content of nuclear material. They also collect samples of certain types of safeguarded nuclear materials that are later tested and measured at the IAEA's Safeguards Analytical Laboratory (SAL) near Vienna, Austria, or at some national analytical laboratories.

At many nuclear installations the Agency uses surveillance cameras and other electronic techniques to continuously and automatically record activities in key places. Also used are specially designed small metal seals which are fixed on the camera housings and other IAEA equipment to prevent undetected tampering, or at nuclear material storage areas or containers to safeguard the contents. In 1989, nearly 1,950 films from 285 automatic cameras in the field were reviewed by the Agency, and 13,500 affixed seals were checked and verified.

On a regular basis, the IAEA receives and analyses reports from State authorities on the whereabouts of nuclear material under their control. Reports cover stocks of nuclear fuel and exports/imports of safeguarded materials and

equipment. Annually, about one million data entries are processed and stored in IAEA computers.

Safeguards activities are reported to the IAEA Board of Governors in the annual Safeguards Implementation Report (SIR). For the years 1985 to 1989, the period following the Third NPT Review Conference, the SIR has stated that, during the preceding year, the Secretariat in applying safeguards "did not detect any event which would indicate the diversion of a significant amount of safeguarded nuclear material—or the misuse of facilities, equipment or non-nuclear material subject to safeguards—for the manufacture of any nuclear weapon, or for any other military purpose, or for the manufacture of any other nuclear explosive device, or for purposes unknown."

Safeguards activities are also reflected in the Annual Reports of the IAEA all of which, up to present, have contained the conclusion that during the preceding year "nuclear material under Agency safeguards . . . remained in peaceful nuclear activities or was otherwise adequately accounted for."

Another major responsibility of the IAEA relates to the peaceful uses of nuclear energy. The Agency advises and assists Governments in the practical application of, and research on, nuclear energy for peaceful purposes, including the production of electric power, with special consideration being given to less developed areas. It acts as an intermediary between States members of the Agency in providing services or supplying materials, equipment or facilities, fosters the exchange of scientific and technical information, advises on the physical protection of nuclear materials.

The Agency continuously seeks to strengthen Member States' ability to plan and carry out nuclear power projects, by organizing interregional and national training courses, seminars, workshops, technical co-operation projects, advisory missions, and technical committee meetings, and by publishing guidebooks and manuals. Where plants have already been built, or are under construction, increased attention is being given to promoting improvements in plant operation and maintenance practices. The objective is to reach uniformly high levels of safety, reliability and economic performance worldwide.

The IAEA formulates basic safety standards for radiation protection and issues regulations and codes of practice on specific types of operations, including the safe transport of radioactive materials. It also elaborates safety codes and guidelines on governmental organizations, siting, design, operation and quality assurances to help authorities ascertain whether basic safety requirements are understood and met in their nuclear power development programmes.

The Agency also facilitates emergency assistance to Member States in the event of a radiation accident. The capability of the IAEA to perform its functions under the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency and under the Convention on Early Notification of a Nuclear Accident was strengthened, in particular, through arrangements for use of the World Meteorological Organization's Global Telecommunication System to transmit measured radiological data. The Agency co-operates with other organizations in the development of a more uniform approach to the setting of derived intervention levels for foodstuffs. Radiological data from Member States were collated for use by the United Nations Scientific Committee on the Effects of Atomic Radiation to assess the radiological impact of the Chernobyl (Ukrainian SSR) accident.

An expanded safety programme was adopted covering the areas of safety of nuclear installations, radiation protection, human health, radioactive waste management, nuclear power, and the nuclear fuel cycle.

In 1988*, total new resources available to the IAEA for technical co-operation programmes amounted to $45.6 million. Of the assistance delivered in that year, the largest portion (20%) related to the application of isotopes and radiation in agriculture; projects in this field focused on optimizing fertilizer and water use, animal

* Source: Annual Report of the IAEA for 1988.

parasitology, enhancing biological nitrogen fixation, mutation breeding, increasing livestock production, food irradiation and pesticide residue studies.

The next most important field was nuclear safety and radiation protection (19%), covering such topics as the promulgation of laws and standards, the organization of radiation protection services, dosimetry and environmental monitoring, reactor safety and radioactive waste management. At 16%, applications of isotopes and radiation in industry and hydrology ranked third in the programme; the activities involved primarily the radiation sterilization of medical products, non-destructive testing, nucleonic control systems, water and sediment dynamics, the determination of various parameters related to groundwater recharge and general water resource management.

Other important fields were: nuclear engineering and technology (15%), covering reactor modernization, metallurgy, nuclear instrumentation and reactor control, isotope production, radiation engineering and quality assurance; nuclear physics (8%), involving such activities as neutron activation analysis, mass spectrometry, the use of solid-state detectors and reactor physics studies; and nuclear medicine (8%), dealing with radiotherapy, radiotoxicology, medical physics and radiopharmacy.

The following table shows the assistance provided by the IAEA to each region as a percentage of the total disbursements in 1984-1988.*

Region	Overall share in %				
	1984	1985	1986	1987	1988
Africa	25.5	20.9	19.9	18.5	21.1
Asia & Pacific	26.7	28.4	26.8	30.0	29.0
Europe	11.5	13.1	13.6	18.9	13.9
Latin America	24.7	22.7	22.5	20.3	23.0
Middle East	0.9	1.6	3.1	2.1	3.0
Interregional	10.7	13.4	13.9	9.9	10.0

*Source: Annual Report of the IAEA for 1988.

Information on virtually every aspect of nuclear science and technology is collected and disseminated by the IAEA through its International Nuclear Information System in Vienna. With the United Nations Educational, Scientific and Cultural Organization, it operates the International Centre for Theoretical Physics in Trieste, Italy, and maintains three laboratories for studies in basic nuclear physics applications and practical uses. The Agency works with the Food and Agriculture Organization in research on atomic energy in food and agriculture, and with the World Health Organization on radiation in medicine and biology.

▸ **Administration**: The Agency is made up of the General Conference, the Board of Governors and the Secretariat. The General Conference consists of all Member States of the Agency, each having one vote. The Conference normally meets once a year and takes its decisions by majority vote, except on matters regarding finance, amendments to the Statute and suspension of membership, which require a two-thirds majority.

The Board of Governors, which consists of 35 members designated or elected on the basis of regional distribution or technological expertise, carries out the statutory functions of the Agency. It takes decisions by majority vote, except for certain specific matters such as the budget, which requires a two-thirds majority. The Board meets approximately every third month, and its committees meet frequently.

The Secretariat, which is headed by the Director General, consists of the following five major Departments: the Department of Technical Cooperation, the Department of Nuclear Energy and Safety, the Department of Research and Isotopes, the Department of Safeguards and the Department of Administration.

Once a year the IAEA submits an annual report on its work to the General Assembly of the United Nations.

▸ **Membership**: It is open to States, whether or not Members of the United Nations or any of its specialized agencies, which deposit an instrument of acceptance of the IAEA's Statute after

their membership has been approved by the General Conference on the recommendation of the Board of Governors. Currently 113 States are members of the Agency, including the five nuclear-weapon States.

▶ **Budget**: The IAEA's regular budget for 1990 is US$162.8 million.

▶ **Director General**: Dr. Hans Blix (Sweden).

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